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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,670	01/21/2004	Robert M. Jacobs	D/A1147	3399

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EXAMINER

BOLLINGER, DAVID H

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/761,670		JACOBS, ROBERT M.	
	Examiner		Art Unit	
	David H Bollinger		3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on ____.

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) ☐ Claim(s) ____ is/are allowed.

6) ☒ Claim(s) 1 is/are rejected.

7) ☐ Claim(s) ____ is/are objected to.

8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. ____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: ____.

1. Applicant's request for reconsideration filed 16 March 2005 has been fully considered and is persuasive. Applicant has now pointed out the structural difference of the pneumatic system of the sheet stripping apparatus of claim 1 and the applied prior art to Stange and Franko. Applicant has pointed out that neither Stange or Franko provide a single airflow path to the upwardly facing outlet and the downwardly facing out near the stripping edge of the stripper finger. Accordingly, the rejection of claim 1 under 35 USC 103 employing Stange and Franko is withdrawn, however; newly discovered prior art to Norton et al (US Patent No. 3,837,640) and Minton (US Patent No. 1,595,478) teach the feature of provide a single airflow path to multiple outlets in a stripper finger. Rejections employing the newly discovered prior art follow. Any inconvenience resulting from the delay in applying the newly discovered is regretted.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stange in view of Franko and Minton.

Stange discloses a stripping apparatus 10 having at least one stripper finger 34 including a pneumatic system for blowing air under the leading edge of the sheet to lift the sheet from the moving surface 16 (which comprises a rotating surface). The pneumatic system of Stange comprises an opening 49 in the stripper finger,

which is for blowing air under the leading edge of a sheet to lift the leading edge in cooperation with the stripping edge of the stripper finger. Stange also discloses that there may be an airflow path provided, in addition to the opening 49, which extends toward the stripping edge and opens upwardly closely adjacent the stripping edge (see Fig. 5 and column 4 lines 8-10). Note that Fig. 5 shows airflow paths opening adjacent the stripping edge which blow air from the bottom surface of the stripper finger so as to flow along the rotating surface 16 under the leading edge of the sheet and upwardly near the stripping edge of the stripper finger.

Stange fails to teach the rotating surface conveying the sheet being a roll fuser and the airflow path being a single airflow path including the two openings adjacent the stripper finger.

Franko teaches employing a stripper finger system similar to that disclosed in Stange to assist in lifting a sheet from the rotating surface of a roll fuser (see the abstract and Fig. 2A). The stripper finger of Franko includes a pneumatic system similar to that disclosed by Stange in that there is an opening in the stripper finger, which is for blowing air under the leading edge of a sheet to lift the leading edge in cooperation with the stripping edge.

In view of the teachings of Franko, it would have been obvious to one of ordinary skill in the art to have the rotating surface associated with the stripper finger of Stange be a roll fuser rather than a photoreceptor surface as disclosed in Stange. The references to Franko and Stange are properly combinable because

both show stripper finger arrangements including a pneumatic system for lifting of sheet from a rotating surface where damage to the rotating surface is undesirable.

Minton teaches a stripper finger arrangement 2 for stripping a sheet from a rotating surface, which includes a pressurized fluid system to aid in the stripping function. Minton further teaches that the pressurized fluid system includes plural openings (7, 15 and 17) in the stripper finger, which are provided airflow via a single flow path 6.

In view of the teachings of Minton, it would have been obvious to one of ordinary skill in the art to provide Stange, as modified by Franko, with a single airflow path in the stripper finger leading to each of the openings in the stripper finger because this simplifies the manufacture of the stripper finger by require only the single flow path be formed in the finger rather than the added complexity of forming multiple flow paths.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norton et al in view of Franko.

Norton et al disclose a stripping apparatus 20 (see Figs. 2 and 5) having at least one stripper finger 26 including a pneumatic system for blowing air under the leading edge of the sheet to lift the sheet from a moving surface 10 (which comprises a rotating surface of a photoreceptor drum). The pneumatic system of Norton et al comprises an opening 28 in the stripper finger which blows air from the lower surface of the stripper finger which will flow along the surface of the

drum 10 and under the leading edge of a sheet to assist in lifting the leading edge of the sheet by the stripping edge of the stripper finger 26. Norton et al also shows the pneumatic system includes an opening 45 in the upper surface of the stripper finger closely adjacent the stripping edge (see Fig. 5) which will blow air underneath the leading edge of a sheet stripped by the stripping edge of the finger 26. Further, Norton et al show that both these openings are connected to a single flow path (see Fig. 5).

Norton et al fails to disclose the rotating surface conveying the sheet being a roll fuser.

Franko teaches employing a stripper finger system similar to that disclosed in Norton et al to assist in lifting a sheet from the rotating surface of a roll fuser (see the abstract and Fig. 2A). The stripper finger of Franko includes a pneumatic system similar to that disclosed by Norton et al in that there is an opening in the stripper finger, which is for blowing air under the leading edge of a sheet to lift the leading edge in cooperation with the stripping edge.


In view of the teachings of Franko, it would have been obvious to one of ordinary skill in the art to have the rotating surface associated with the stripper finger of Norton et al be a roll fuser rather than a photoreceptor surface as disclosed in Norton et al. The references to Franko and Norton et al are properly combinable because both show stripper finger arrangements including a pneumatic system for lifting of sheet from a rotating surface where damage to the rotating surface is undesirable.

5. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H Bollinger whose telephone number is 703-308-1113. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh, can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David H. Bollinger
Primary Examiner 3/23/05
Art Unit 3653